

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

In re BAYCOL PRODUCTS LITIGATION

MDL NO. 1431 (MJD/SRN)

ORDER

This Document Relates to:

Jeffrey Adams, et al. v. Bayer AG, et al.
(Plaintiff Norma Whiting only)

Case No. 04-3272

No appearance on behalf of Plaintiff Norma Whiting

Susan A. Weber, Esq. and James W. Mizgala, Esq. on behalf of Defendant Bayer Corporation

The above-entitled matter comes before the Court upon the Report and Recommendation of United States Magistrate Judge Susan Richard Nelson. No objections have been filed to that Report and Recommendation in the time period permitted. Accordingly, based on the Report and Recommendation and all of the files, records, and proceedings herein, **IT IS HEREBY ORDERED** that:

1. Defendant Bayer Corporation's Motion for Discovery Sanctions against Plaintiff Norma Whiting (Doc. No. 105) is **GRANTED**;
2. Plaintiff Norma Whiting's claims are **DISMISSED WITH PREJUDICE**; and
3. Plaintiff's counsel must pay the sum of \$75.00 to Bayer Corporation within ten days of this Order.

Dated: March 18, 2008

s / Michael J. Davis
MICHAEL J. DAVIS
United States District Court Judge